

PROB 12C
(7/93)

United States District Court
for

District of New Jersey

Amended Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Terrance Brown; legal name Mustafa Muhammad Cr.: 99-191(02)

Name of Sentencing Judicial Officer: Honorable John W. Bissell reassigned to Honorable Dickinson R. Debevoise

Date of Original Sentence: 06/29/00

Original Offense: Conspiracy to Distribute and Possession with Intent to Distribute Heroin

Original Sentence: 63 month Imprisonment followed by a five year term of supervised release.

Type of Supervision: Supervised Release

Date Supervision Commenced: 11/28/03

Assistant U.S. Attorney: Carolyn Murray

Defense Attorney: David Hollman, AFD

PETITIONING THE COURT

☒ To issue a warrant

☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	The offender has violated the supervision condition which states ' You shall not commit another federal, state, or local crime. ' On 6/8/06, the offender was arrested by the Newark Police Department and charged with Possession of CDS, Possession with Intent to Distribute CDS within 1,000 feet of a school, Possession of CDS within 500 feet of public housing complex, Conspiracy and Resisting Arrest. The case is pending pretrial conference proceedings in Essex County Superior Court.
2	The offender has violated the supervision condition which states ' You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician. ' The offender failed to refrain from the use of illegal substances as evidenced by the following drug test results: 2/06/06 positive for cocaine; 2/10/06 positive for cocaine; 2/21/06 positive for morphine, codeine and cocaine; 2/27/06 positive for morphine and cocaine; 5/30/06 positive for cocaine.

- 3 The offender has violated the supervision condition which states **‘You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.’**

The offender failed to report to the Probation Office as directed. He failed to report immediately upon his release from custody on the pending charges. He failed to report on 8/8/06 and 8/15/06. The offender failed to submit monthly supervision report forms since September 2004.

- 4 The offender has violated the supervision condition which states **‘The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.’**

The offender failed to participate in drug treatment as directed. On March 6, 2006, he entered inpatient drug treatment at Integrity, in Secaucus, NJ. On May 22, 2006, he left the program without authorization. The offender was thereafter referred to another inpatient drug treatment program, but he refused the proposed referral. In an effort to resolve the offender’s addiction, he was then directed to return to out-patient drug treatment.

The offender continued his non-compliance with treatment directives. He missed group treatment sessions on July 31, 2006, and August 7, 2006, and an individual treatment session on August 8, 2006.

The offender has also failed to submit to urine testing at the Code-a-phone program at Integrity.

- 5 The offender has violated supervision condition which states “You shall not commit another federal, state, or local crime.

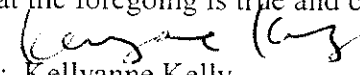
On October 3, 2006, officers from the U.S. Marshal’s Task Force, Newark had a federal warrant for a violation of supervised release for the offender.

Officers went to Judge Bernstein’s Court, Essex County Superior Court 12th Floor, room 1212, New Courts Building, Newark, New Jersey and advised they were there to execute a federal warrant. They arrested the offender and transported him to U.S. Marshal’s Office cell block. While the offender was being searched and processed officers found a clear zip lock bag containing 44 vials of suspected cocaine in clear bottles weighing a total of 4.4 grams and a small clear bag containing cocaine weighing 2.2 grams. The drugs were field tested positive for cocaine.

The offender also had \$190.00 in U.S. currency in his possession. : The offender was charged with Count 1: Possession of CDS - Cocaine 6.6 grams. Count 2: Possession of CDS with Intent to Distribute; Count 3: Possession of CDS - Cocaine With Intent to Distribute within 1000 feet of the Feds Kids Preschool.

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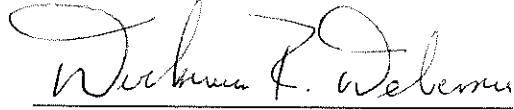
I declare under penalty of perjury that the foregoing is true and correct.


By: Kellyanne Kelly
Senior U.S. Probation Officer

Date: 8/10/06

THE COURT ORDERS:

- [☒] The Issuance of a Summons. Date of Hearing: . July 12, 2007 at 10:00 a.m.
[☐] The Issuance of a Warrant
[☐] No Action
[☐] Other


Signature of Judicial Officer

June 5, 2007
Date